

## Message Text

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ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 FEA-01 ACDA-10 AGR-10 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-02 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 H-02

INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-02

OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15 TRSE-00

AF-06 ARA-10 EA-10 EUR-12 NEA-09 OIC-02 /168 W

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R 191605Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2245

INFO USMISSION USUN NEW YORK

USIA WASHDC

UNCLAS SECTION 1 OF 2 GENEVA 2756

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: PLENARY SESSION 18 APRIL

USIA FOR IPS AND IBS

SUMMARY: LOS CONF. PRES. AMERASINGHE WON WIDESPREAD SUPPORT FOR HIS PROPOSAL TO HAVE EACH COMMITTEE CHAIRMAN PRODUCE SINGLE, UNIFIED, NEGOTIATING TEXT BEFORE END OF CURRENT SESSION. TEXTS WOULD BE USED TO FOCUS NEGOTIATIONS, ALLOW STUDY BY GOVERNMENTS NOW AND DURING INTER-SESSION, AND EXPEDITE NEGOTIATIONS AT NEXT SESSION TENTATIVELY PLANNED FOR EARLY 1976 IN ASIA OR AFRICA. US GAVE STATEMENT SUPPORTING PROPOSAL TO CREATE UNIFIED TEXT. END SUMMARY.

1. LOS CONFERENCE PRESIDENT (AMERASINGHE) ADDRESSED PLENARY SESSION 18 APRIL TO EVALUATE PROGRESS ACHIEVED BY THE CONFERENCE AT COMPLETION OF FIVE WEEKS OF WORK.

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(VERBATIM TEXT SENT SEPTTEL.) HIS APPRAISAL INDICATED

RELATIVE SATISFACTION WITH PROGRESS IN COMMITTEES I (DEEP SEABEDS) AND III (POLLUTION AND SCIENTIFIC RESEARCH) BUT A SERIOUS CONCERN OVER ABSENCE OF SIGNIFICANT MOVEMENT IN COMMITTEE II. AMERASINGHE FORMALLY PROPOSED THAT EACH COMMITTEE CHAIRMAN BE CHARGED WITH THE RESPONSIBILITY OF DRAFTING A SINGLE, UNIFIED, AMENDABLE, NEGOTIATING TEXT FOR USE BY EACH FULL COMMITTEE IN FOCUSING ITS WORK. HE FURTHER INDICATED THAT HIS EARLIER IDEA THAT THE CONF SHOULD CONSIDER RECONVENING ITSELF FOR A FOUR WEEK SESSION THIS SUMMER MET WIDESPREAD INFORMAL RESISTANCE SO HE WOULD NOT FORMALLY PROPOSE IT. HOWEVER, HE URGED THE CONF TO CONSIDER IDEA OF HOLDING ITS NEXT SESSION WITHIN FIRST THREE MONTHS OF 1976 AND REQUESTED REGIONAL GROUPS TO STUDY QUESTION OF VENUE. (COMMENT: BOTH SCHEDULE AND VENUE OF NEXT SESSION WILL BE DECIDED LATE IN THIS SESSION, BUT ADDITIONALLY AMERASINGHE CLEARLY ENVISIONS INFORMAL INTER-SESSIONAL CONSULTATIONS.)

2. APPROXIMATELY 45 STATES SPOKE ON THE AGENDA ISSUES: THE PRESIDENT'S APPRAISAL OF WORK AND HIS PROPOSAL FOR CREATING UNIFIED TEXTS. AT CONCLUSION OF DEBATE AMERASINGHE RULED THAT HIS PROPOSAL HAD GENERAL ACCEPTANCE AND EACH COMMITTEE CHAIRMAN WAS THEREFORE TO BE CONSIDERED AS A NEGOTIATED OR VOTING TEXT. EACH CHAIRMAN WOULD TAKE RESPONSIBILITY FOR DECIDING THE SUBSTANCE OF TEXT AND WHO AND WHEN HE WOULD CONSULT WHEN DRAFTING IT. AMERASINGHE REQUESTED TEXTS BE PREPARED AS SOON AS POSSIBLE BUT CERTAINLY BEFORE ADJOURNMENT OF THIS SESSION. COMMITTEES ARE TO CONTINUE WORK AS BEFORE AND MEMBERS WERE REQUESTED NOT TO INTERFERE WITH THE CHAIRMEN'S FREEDOM OF ACTION.

3. DEBATE STATEMENTS. (COMMENT: FOR CONVENIENCE THIS SECTION IS ORGANIZED INTO FIVE SECTIONS: (A) US STATEMENT; (B) SUPPORT FOR PROPOSAL OF CREATING UNIFIED TEXT; (C) NATURE OF UNIFIED TEXT; (D) MORATORIUM ISSUE; AND (E) MISCELLANEOUS).

(A) US STATEMENT: AMB. STEVENSON SAID HE SHARED  
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THE PRESIDENT'S CONCERN OVER RATE OF PROGRESS AND WHETHER WORKING METHODS ARE SATISFACTORY. HE NOTED SUCCESS OF CARACAS SESSION IN FORMULATING OUTLINES OF A GENERAL AGREEMENT BUT ADDED IT WOULD NOT BE ENOUGH FOR THIS SESSION TO MERELY FORTIFY THOSE OUTLINES AND RECONSIDER PROPOSALS. STEVENSON REPLIED TO THOSE DELEGATIONS WHO STATED THAT INSTEAD OF BENDING TO PRESSURE OF LEGISLATURES AND PUBLIC OPINION THE COMPLEXITY

AND IMPORTANCE OF THE TASK SHOULD BE EXPLAINED BY DELEGATIONS..  
HE SAID HE AGREED THAT IT WAS CRITICAL TO STRIVE FOR UNDERSTANDING  
AND PATIENCE BUT ADDED THAT SUCH EFFORTS WERE UNCONVINCING  
UNLESS WE COULD INDICATE PROGRESS TOWARD ACHIEVING A TREATY  
WITHIN A REASONABLE TIME FRAME.

AMB. STEVENSON NOTED THAT CONF, BY AVOIDING GENERAL  
DEBATE AND FORMAL SESSIONS HAD BEEN ABLE TO WORK ON TEXTS AND

ATTEMPT NEGOTIATIONS. TO REFLECT THIS PROGRESS AND SUSTAIN  
MOMENTUM IT IS ESSENTIAL THAT EACH COMMITTEE  
CHAIRMAN, ON HIS OWN RESPONSIBILITY, PRODUCE A SINGLE  
TEXT WITH NO ALTERNATIVES OR VARIATIONS. HE URGED  
THAT THE COMMITTEE II TEXT SHOULD REFLECT THE EXCELLENT  
WORK DONE BY SMALL GROUPS AND BE PRODUCED AS SOON AS  
POSSIBLE. THEN THE CONF COULD BEGIN PROCESS OF  
ATTEMPTING TO REACH CONSENSUS.

AMB. STEVENSON CONCLUDED BY NOTING US WILLINGNESS  
TO NEGOTIATE IN GENEVA; A SOLUTION TO LOS PROBLEMS IS  
CRITICALLY IMPORTANT TO ALL MANKIND. HE ADDED THAT IN  
MANY WAYS THE CONF WAS A TEST OF WHETHER THE MULTILATERAL  
LAWMAKING PROCESS CAN WORK.

(B) SUPPORT FOR PROPOSAL OF CREATING UNIFIED  
TEXT: IN ADDITION TO US SUPPORT FOR AMERASINGHE'S  
PROPOSAL THERE WAS VERY STRONG SUPPORT FROM MEXICO,  
VENEZUELA, UK, GREECE, AUSTRALIA AND CHILE. BOTH  
CASTANEDA (MEXICO) AND STAVROPOULOS (GREECE) STATED  
CATEGORICALLY THAT WITHOUT SUCH A TEXT THE CONF WAS  
DOOMED TO FAILURE. THE VAST MAJORITY OF OTHER SPEAKERS,  
INCLUDING SOVS, GAVE THEIR SUPPORT BUT WITH VARYING  
DEGREES OF QUALIFICATION. EXPRESSING SERIOUS DOUBTS,  
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BUT NOT OPPOSING, WERE CHINA, PERU, ECUADOR, TURKEY, TANZANAI  
AND FRANCE. PERU ARGUED THAT THE SINGLE TEXT WOULD BASI-  
CALLY BE ADOPTION OF A DECISION WITHOUT HAVING CONF  
DELEGATES' PARTICIPATION AND WOULD IMMEDIATELY BE  
AMENDED TO REFLECT ALL TRENDS. FRANCE SAID THE  
EXISTING, CLASSICAL PROCEDURE OF LISTENING, EXPLAINING  
AND WORKING TOWARD REDUCING ALTERNATIVES IS SLOW BUT  
DEMOCRATIC AND LEGAL. IT SHOULD NOT BE ABANDONED  
BECAUSE IT COULD NOT PRODUCE GREAT PROGRESS IN ONE  
COMMITTEE FACED WITH ISSUES OF ENORMOUS COMPLEXITY.  
FURTHER, (AND AS SOME OTHERS POINTED OUT AS WELL),  
THERE WERE STILL ISSUES THAT HAD NOT BEEN ADEQUATELY  
EXAMINED BY COMMITTEE SUB-BODIES.

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OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15 TRSE-00

AF-06 ARA-10 EA-10 EUR-12 NEA-09 OIC-02 /168 W

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R 191605Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2246

INFO USMISSION USUN NEW YORK

USIA WASHDC

UNCLAS SECTION 2 OF 2 GENEVA 2756

USIA FOR IPS AND IBS

(C) NATURE OF UNIFIED TEXT: MANY DELEGATIONS REFERRED TO THE NECESSITY THAT THE UNIFIED TEXT ADEQUATELY REFLECT THE TREND THEY THEMSELVES SUPPORTED - LANDLOCKED, DEVELOPING, ETC. MEXICO CLEARLY POINTED OUT THAT IT WOULD BE IMPOSSIBLE FOR SUCH A TEXT TO REFLECT ALL POINTS OF VIEW. SOVS, CUBA AND SPAIN URGED THAT THE TEXT INCLUDE ALTERNATIVES OR VARIATIONS IN AREAS KNOWN TO HAVE WIDELY DIFFERING TRENDS. CHINA AND SOME AFRICAN STATES, (IN PARTICULAR TANZANIA AND TUNISIA'S KEDADI, CHAIRMAN OF GROUP OF 77) EMPHASIZED THAT ANY LOS CONVENTION MUST CLEARLY TAKE INTO ACCOUNT THE INTERESTS AND NEEDS OF THE LDCS. THEREFORE, ANY SINGLE TEXT, THEY SAID, MUST ADEQUATELY REFLECT THE POSITIONS OF THIS MAJORITY. SOME DELEGATIONS ARGUED THAT THE SINGLE TEXT SHOULD BE GIVEN NO PRIORITY OVER ANY OTHER EXISTING TEXTS, AND WORKING GROUPS SHOULD

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CONTINUE THEIR CONSULTATIONS TOWARDS THEIR OBJECTIVES.  
INDIA STATED THAT THE TEXT BE CONSIDERED AS A TOOL AND  
NOT AS A MEASURE OF THE WORK OF THE CONF.

(D) MORATORIUM ISSUE: THERE WERE OCCASIONAL REFER-  
ENCES DURING DEBATE TO THE NECESSITY OF WORKING WITHOUT  
THE PRESSURE OF UNILATERAL ACTION WHICH "SOME STATES  
THREATEN." IRELAND (ATTY GEN COSTELLO) OPENED DEBATE  
WITH A STATEMENT IN WHICH HE SAID THE CONF SHOULD CON-  
SIDER BROADENING THE SCOPE OF UNGA RES 2574 (XXIV)  
(MORATORIUM RES) SO PARTICIPATING STATES SHOULD NOT TAKE  
UNILATERAL ACTION IN MATTERS WITHIN THE CONF MANDATE.  
OTHERS, INCLUDING VENEZUELA, CUBA, ALBANIA, ALGERIA, PRC  
AND TUNISIA REFERRED TO THE NECESSITY OF WORKING WITHOUT  
"THREATS", INDICATED THAT UNILATERAL ACTION WOULD BE  
CONSIDERED AS A VIOLATION OF NEGOTIATING IN GOOD FAITH,  
AND SUGGESTED CONCRETE STEPS MAY BE TAKEN TO ENABLE CONF  
TO PROCEED WITHOUT PRESSURE. PRC ACKNOWLEDGED THIS ISSUE  
WAS UNDER ACTIVE CONSIDERATION BY GROUP OF 77.

(E) MISCELLANEOUS:

1. SIGNIFICANT NON-SPEAKERS INCLUDED JAPAN, ARGENTINA,  
BRAZIL, INDONESIA, NORWAY, AND KENYA. OF EE GROUP ONLY SOVS  
GAVE STATEMENT.

2. JAMAICA ATTEMPTED TO REBUT A RECENT CIRCULAR  
LETTER FROM MALTA CONCERNING PROPOSED SITE FOR THE  
INTERNATIONAL AUTHORITY BUT WAS RULED OUT OF ORDER.  
ALBANIA'S VITRIOLIC AND NEAR IRRATIONAL ATTACK ON  
SOV AND US SUPERPOWER HEGEMONY WAS ALSO RULED OUT  
OF ORDER. U.S. REPRESENTATIVE VACATED THE CHAIR.

3. PRC STATEMENT WAS BLATANT SELF ASSERTION AS  
LDC CHAMPION AND INCLUDED MODERATE-HEAVY CONDEM-  
NATION OF SUPERPOWER ABUSE OF EXISTING FREEDOM OF  
SEAS.

4. MOST OF LA GROUP SPOKE AND INCLUDED FLORID  
PRAISE OF COMMITTEE II CHAIRMAN POHL WHOSE LEADER-  
SHIP WAS UNDER IMPLIED ATTACK FOR LACK OF PROGRESS  
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THIS SESSION.

5. ACCORDING TO ITS CHAIRMAN (KEDADI) THE GROUP

OF 77 DECIDED THE NEXT SESSION OF THE CONF SHOULD  
BE IN 1976 AND HELD IN A DEVELOPING COUNTRY, PRE-  
FERABLY AFRICA OR ASIA. (COMMENT: INFORMAL CON-  
VERSATION INDICATE NAIROBI AND NEW DELHI ARE PRINCIPAL  
CANDIDATES. DALE

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TEXT, LAW OF THE SEA, POLICIES, NEGOTIATIONS, SPEECHES  
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**Copy:** SINGLE  
**Draft Date:** 19 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Review Authority:** ShawDG  
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**Review Date:** 01 JUL 2003  
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**Review Release Date:** n/a  
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**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006